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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,910	11/05/2003	Gregory K. Otten	22.3075	2909

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EXAMINER

BOMAR, THOMAS S

ART UNIT	PAPER NUMBER
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3672

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/605,910		OTTEN ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Shane Bomar		3672	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-8,11-13 and 15-18 is/are rejected.
- 7) ☒ Claim(s) 4,9,10,14,19 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/14/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 64a. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: RF. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the

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applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the slight axial spacing between the projection and a groove surface in the joint must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Specification*

4. The disclosure is objected to because of the following informalities: in paragraph [0034], one of the surfaces is given reference numeral 70 although that number is associated with an elevator.

Appropriate correction is required.

### *Claim Objections*

5. Claims 1, 2, 10-12, 16, 19, and 20 are objected to because of the following informalities: in the first lines of claims 1 and 11, the recitation of “a plurality of a large diameter pipe joints” should be --a plurality of large diameter pipe joints--; in claims 2 and 12, the recitation of “the elevator is clamped” lacks proper antecedent basis since the concept of clamping was never previously introduced; in claims 10 and 20, the recitation of “the as collar” should most likely be --as the collar--; the word --of-- should be added between “plurality” and “lifting” in claim 16; the number 11 should be removed from the end of claim 19. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 2, 5, 7, 11, 12, 15, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 6,361,251 to Soltanahmadi et al.

Regarding claims 1 and 11, Soltanahmadi et al disclose a drilling rig for assembling a plurality of large diameter pipe joints 1, 4 into a pipe string (see the Summary of Invention where risers are specifically referred to, which the current applicant has stated are known to be large diameter pipes), a first one of the plurality of large diameter pipe joints adapted to threadingly engage a second one of the plurality of large diameter pipe joints, the drilling rig comprising an elevator 5 or 31 detachably securable to an upper end of the first joint, the elevator adapted to both lift and position the first joint while it is stabbed and tightened onto the string, and the elevator further adapted to co-operatively engage a rotary table 8 of the drilling rig to rotatably tighten the second joint to the first joint as the second joint is added to the string (see Figs. 1-15 and col. 4, line 1 through col. 6, line 9). It is noted that the pipe joints are *adapted* to threadingly engage one another and that the elevator is *adapted* to co-operatively engage a rotary table 8 of the drilling rig to rotatably tighten the second joint to the first joint. The use of the word adapted is not seen as a positive recitation of what is being claimed, and is therefore construed to mean that the prior art only need be capable, or adapted to perform, the claimed limitations. The pipe joint of Soltanahmadi et al could clearly be adapted to have internal threads in the flange collar 3 or 3a, and the bottom end of each pipe would need matching external threads. Such adaptation would not interfere with the function of the detachable collar/elevator and would simply replace the step of welding.

Regarding claims 2, 7, 12, and 17, the elevator is detachably secured to the first joint with a bolt on collar 2b or 30, the collar comprising two halves, each half comprising a plurality of bolt ears adapted to receive bolts for clamping the collar (see Figs. 2, 5, and 9-12).



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Regarding claims 5 and 15, the elevator comprises a plurality of lifting pad eyes for attachment to lift lines on the drilling rig (see Figs. 1, 2, 4, and 5).

8. Claims 1, 5, 11, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 6,349,764 to Adams et al.

Regarding claims 1 and 11, Adams et al disclose a drilling rig 8 for assembling a plurality of large diameter pipe joints 18 into a pipe string 19, a first one of the plurality of large diameter pipe joints adapted to threadingly engage a second one of the plurality of large diameter pipe joints, the drilling rig comprising an elevator 200 detachably securable to an upper end of the first joint, the elevator adapted to both lift and position the first joint while it is stabbed and tightened onto the string, and the elevator further adapted to co-operatively engage a rotary table 104 of the drilling rig to rotatably tighten the second joint to the first joint as the second joint is added to the string (see Figs. 1-21 and columns 6-9). It is noted that the elevator is *adapted* to co-operatively engage a rotary table of the drilling rig to rotatably tighten the second joint to the first joint. The use of the word adapted is not seen as a positive recitation of what is being claimed, and is therefore construed to mean that the prior art only need be capable, or adapted to perform, the claimed limitations. The elevator of Adams et al could clearly be adapted to engage the rotary table (see Fig. 16). Such adaptation would not interfere with the function of the detachable collar/elevator. Also, the phrase “large diameter” has not been defined in the claims, and therefore it is taken as a relative term. The tubulars of Adams et al have enlarged portions in relation to the rest of the tubular means, which means that it is in fact a large diameter pipe. Adams et al also disclose casing as part of the pipe string, which is well known as large diameter pipe.

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Regarding claims 5 and 15, the elevator comprises a plurality of lifting pad eyes for attachment to lift lines on the drilling rig (see Figs. 10-16).

9. Claims 1, 5, 6, 15, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 3,063,509 to Guier.

Regarding claims 1 and 11, Guier discloses a drilling rig 1 for assembling a plurality of large diameter pipe joints 8 into a pipe string 7 (see col. 1, lines 14-22), a first one of the plurality of large diameter pipe joints adapted to threadingly engage a second one of the plurality of large diameter pipe joints (see Fig. 7 and col. 3, lines 49-61), the drilling rig comprising an elevator A or B detachably securable to an upper end of the first joint, the elevator adapted to both lift and position the first joint while it is stabbed and tightened onto the string, and the elevator further adapted to co-operatively engage a rotary table 4 of the drilling rig to rotatably tighten the second joint to the first joint as the second joint is added to the string (see Figs. 1-9 and col. 7, line 33 through col. 10, line 55).

Regarding claims 5, 6, 15, and 16, the elevator comprises a plurality of lifting pad eyes 50 for attachment to lift lines 20, 21 on the drilling rig, wherein at least one rotary table lug 53, 61 extends from one of the plurality lifting pad eyes to engage the rotary table 4 through tracks 56 and 57 (see Fig. 4 and col. 5, lines 7-53).

### ***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.



11. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

12. Claims 2, 3, 8, 12, 13, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adams et al in view of Soltanahmadi et al.

Regarding claims 2 and 12, Adams et al teach the elevator of claim 1 that is detachably secured to the first joint with a collar 106, 206. However, it is not taught that the elevator is secured with a bolt on collar.

Soltanahmadi et al teach an elevator that is detachably secured to the first joint with a collar similar to that of Adams et al. It is further taught that the elevator is secured with a bolt on collar 2 (see Figs. 2 and 9-12). It would have been obvious to one of ordinary skill in the art, having the teachings of Adams et al and Soltanahmadi et al before him at the time the invention was made, to modify the collar taught by Adams et al to include the bolt on collar of Soltanahmadi et al. One would have been motivated to make such a combination since Soltanahmadi et al have shown it to be notoriously known in the art that collars for use between elevators and tubulars can be bolted onto the tubular, which would present a more secure way to fasten the collar of Soltanahmadi et al to the tubular.

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Regarding claims 3, 8, 13, and 18, the combination applied to claims 2 and 12 above teaches that the collar is bolted around an annular groove 18a formed in an external surface of the first pipe joint, wherein the groove in the joint is adapted to frictionally engage a complimentary, annular, centrally extending projection 106a, 206a developed along an inner circumferential surface of the collar (see Figs. 2-9, 12, and 15 of Adams et al).

#### ***Allowable Subject Matter***

13. Claims 4, 9, 10, 14, 19, and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

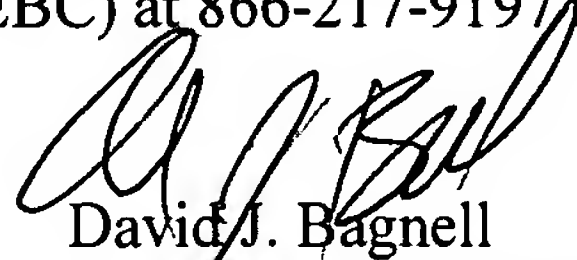
14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wilson et al teaches a rod and pipe elevator wherein only the rod has an annular groove for mating with the elevator. Taylor teaches a slip-type support for a tubular with a keystone-mating configuration between the support and the tubular (see Figs. 1-5). The reissue patent to Guier teaches a dual elevator system of interest. Bouligny et al, Eliston, Pedrelli, Schivley, and Watson teach an elevator and collar combination of specific interest. Penisson teaches a lug 57 for engaging the rotary table (see Fig. 4). Latham teaches a joint collar of particular interest.

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15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shane Bomar whose telephone number is 571-272-7026. The examiner can normally be reached on Monday - Thursday from 7:00am to 4:30pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on 571-272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David J. Bagnell  
Supervisory Patent Examiner  
Art Unit 3672

tsb

September 16, 2005